

Appl. No. 09/730,254

Second Supplemental Amendment to Amendment and RCE filed July 25, 2005

REMARKS

Prior to this Second Supplemental Amendment, Claims 1-39 were pending in the application. By this Second Supplemental Amendment, Applicants have amended Claims 1, 36, and 37. No new matter has been added by the Amendment. Reexamination and reconsideration in view of the amendments and remarks contained herein are respectfully requested. Applicants incorporate by reference the remarks of the Supplemental Amendment filed October 3, 2005.

I. Claim 1

Claim 1 has been amended to replace the term "an identifier of the case statement" with "an identifier of the patient," in order to clarify the meaning of the term. Support for the amended term, as pointed out by the Examiner, can be found on page 12 and Fig. 12 of the present application.

Claim 1 has also been amended to remove the "health information of the patient" limitation. Removing this limitation does not affect the patentability of Claim 1 in view of Henley because, as discussed previously, Henley does not teach or suggest all of the remaining limitations of amended Claim 1. For example, Henley does not disclose "providing a case statement template having a basic information section for specifying an identifier of the case statement and contact information of the patient and a clinical information section for specifying a category of a procedure, a specific procedure, a complaint of the patient, and past medical history of the patient," as recited in amended Claim 1.

In addition, Claim 1 has been amended to recite that "the response [is] based on the delivered case statement." Henley does not disclose such subject matter. As noted previously, the registration procedures of Henley merely allow a user to participate in the bidding network. Applying the Examiner's reasoning, even if registration information constituted case statement information, no response is received in Henley based on registration information. Moreover, other passages of Henley identified by the Examiner during the interview of November 2, 2005, fail to teach or suggest the amended limitation or other limitations highlighted by Applicants in previous amendments.

Appl. No. 09/730,254

Second Supplemental Amendment to Amendment and RCE filed July 25, 2005

Therefore, for at least the reasons set out above, independent Claim 1 and dependent Claims 2-14, which depend on Claim 1, are allowable.

II. Claim 36

Claim 36 has been amended to correct a typographical error in which the word "insurance" was mistakenly excluded and to replace the term "an identifier of the case statement" with "an identifier of the patient." Applicants have also amended the preamble of Claim 36. In addition, similar to Claim 1, Applicants have amended Claim 36 to recite "receiving a response from at least one healthcare service provider among a plurality of healthcare service providers that present service proposals to potential patients responsive to patient-originated requests, the response based on the case statement information."

As described above with respect to Claim 1, Henley does not disclose "providing a case statement template having a basic information section for specifying an identifier of the case statement, contact information of the patient, and health insurance information of the patient and a clinical information section for specifying a category of a procedure, a specific procedure, a complaint of the patient, and past medical history of the patient." In addition, Henley does not disclose "receiving a response from the at least one contracting healthcare service provider..., the response based on the case statement information," as recited in amended Claim 36. Furthermore, Henley does not disclose receiving a response "based on the case statement information" from "at least one contracting healthcare service provider among a plurality of healthcare service providers that present service proposals to potential patients responsive to patient-originated requests," as recited in amended Claim 36.

Therefore, for at least the reasons set out above, independent Claim 36 is allowable.

III. Claim 37

Similarly, Applicants have amended Claim 37 to recite "receiving a response from at least one healthcare service provider, the response based on the case statement information."

As described above with respect to Claim 1, Henley does not disclose "providing a case statement template having a basic information section for specifying an identifier of the case statement, contact information of the patient, and health insurance information of the patient and

Appl. No. 09/730,254

Second Supplemental Amendment to Amendment and RCE filed July 25, 2005

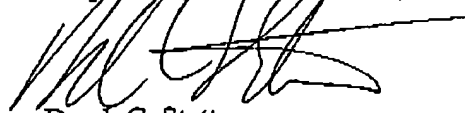
a clinical information section for specifying a category of a procedure, a specific procedure, a complaint of the patient, and past medical history of the patient." In addition, Henley does not disclose "receiving a response from the at least one contracting healthcare service provider, the response based on the case statement information," as recited in amended Claim 37.

Therefore, for at least the reasons set out above, Claim 37 and dependent Claims 38 and 39, which depend from Claim 37, are allowable.

IV. CONCLUSION

In view of the above remarks with respect to Claims 1, 36, and 37 and the remarks included in the Supplemental Amendment filed October 3, 2005, allowance of pending Claims 1-39 is respectfully requested.

Respectfully submitted,



Derek C. Stettner

Reg. No. 37,945

File No. 073352-9003-00
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
(414) 271-6560

X:\clientb\073352\9003\A1362312.1